

Waukesha County Farmland Preservation Plan Update



Presentation Overview

- History of Farmland Preservation planning in Waukesha County
- 2009 State law changes
- 2011 County FP Plan update
 - Planning process
 - Inventory, trends & agricultural statistics
 - Farmland preservation plan - draft criteria



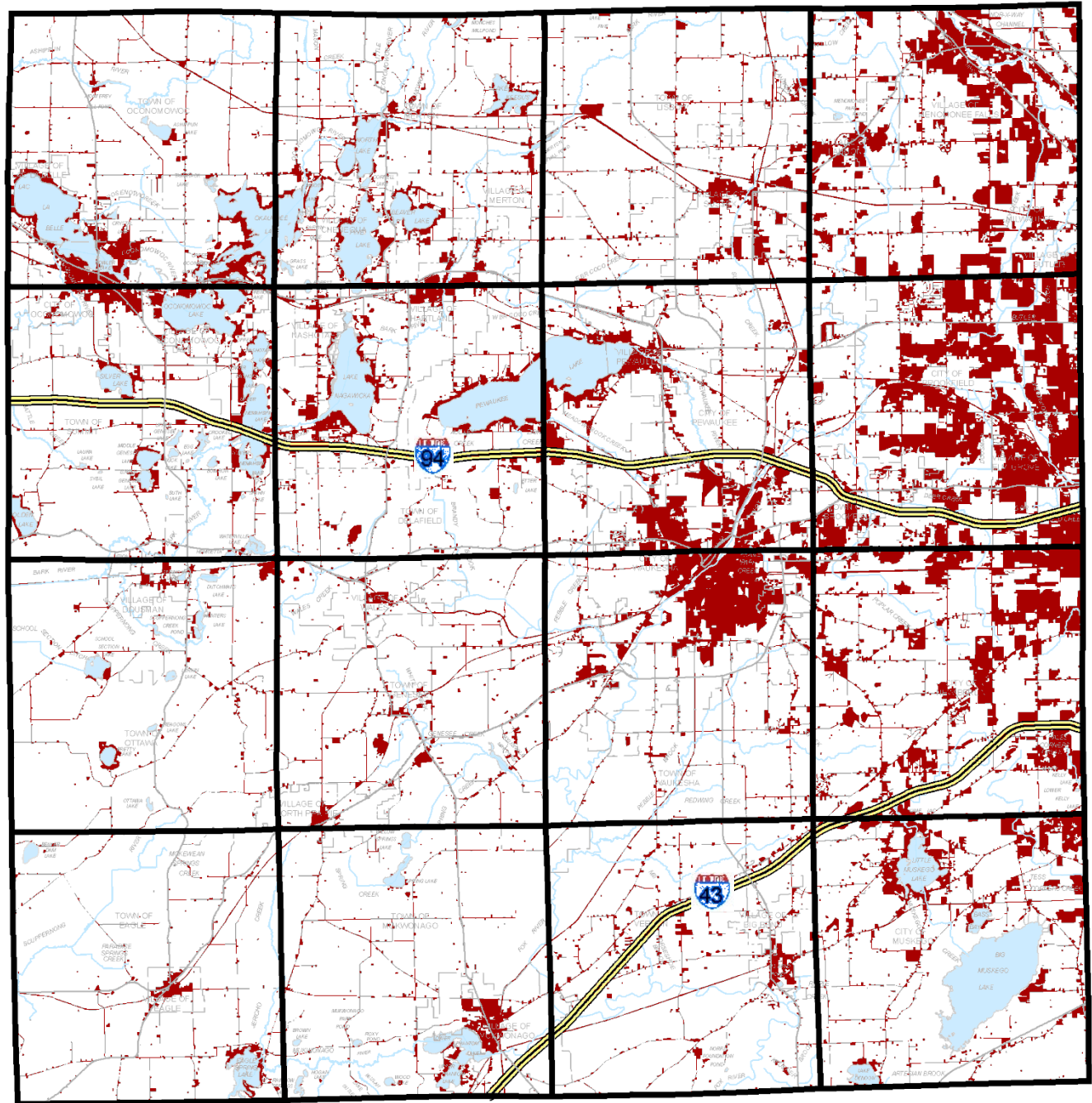
Urban & Residential Lands

Waukesha County
1963

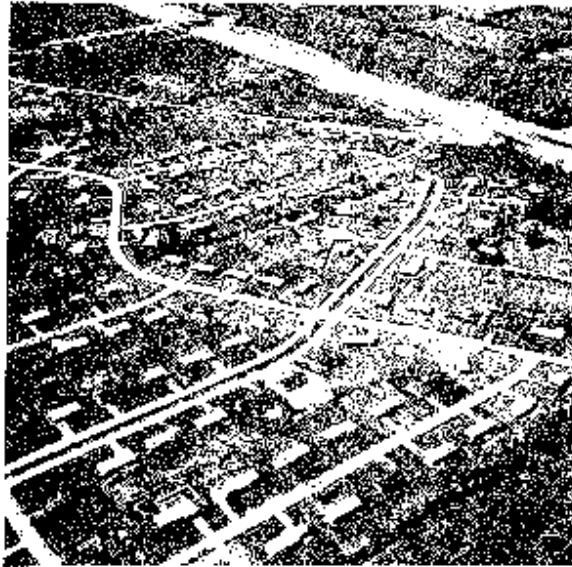
Legend



Urban and
residential uses



A Citizen's Look at Urbanization



Agriculture and Natural Resources Council

Waukesha County

June 1969

One of the stated purposes:

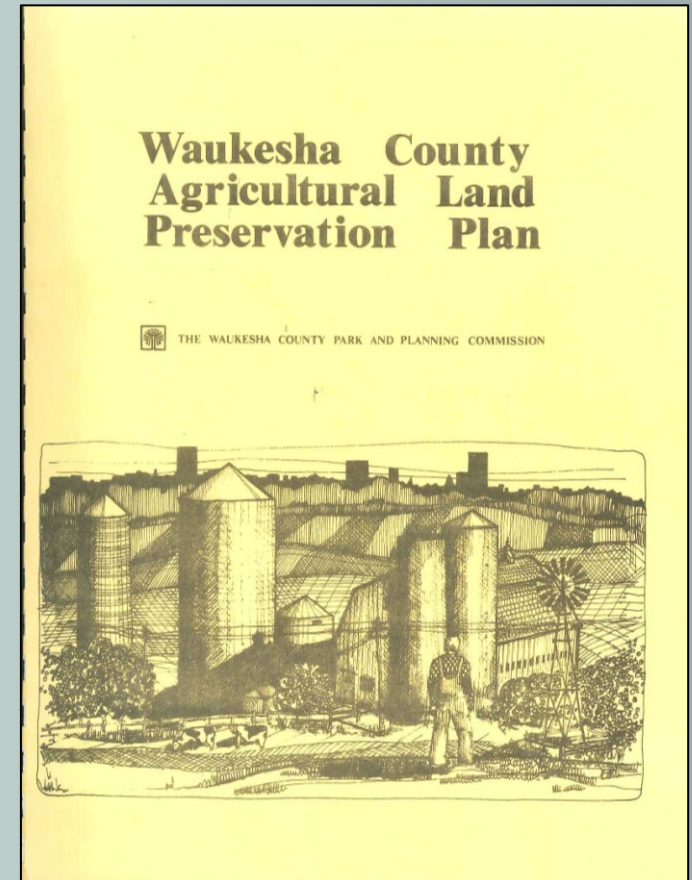
“To bring about sound and rational development of our agricultural and natural resources.”

Led to:

- Shoreland zoning
- Floodplain zoning
- Sanitary/septic code
- Environmental corridor protection

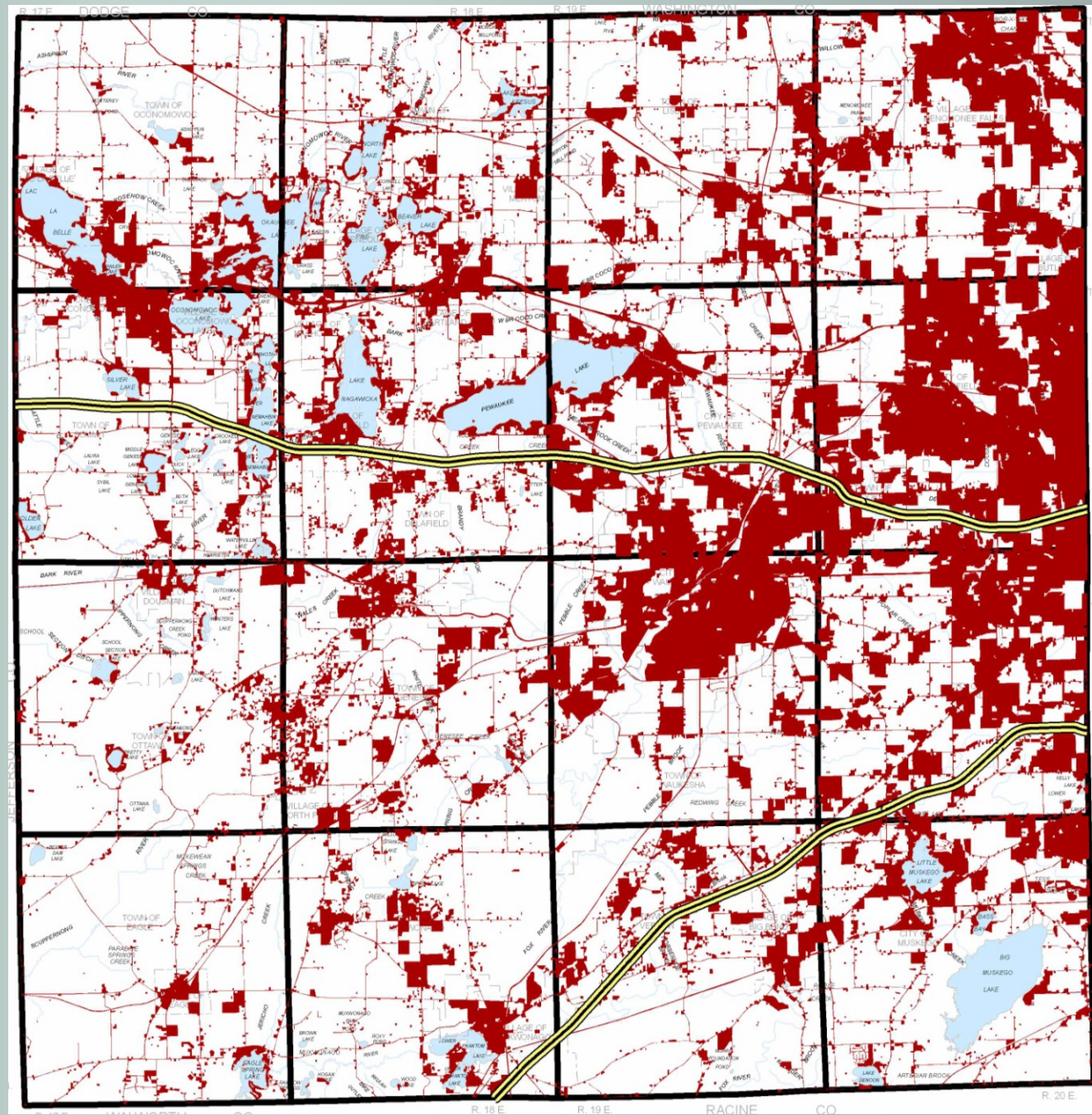
Farmland Preservation Program

- 1978 WI Farmland Preservation Program
 - Tax relief for farmers
 - FP planning & zoning
- 1981 Waukesha County Farmland Preservation Plan completed
- 1984 County Board approves Farmland Preservation Plan
 - Certified by DATCP



Waukesha County 1980

 Urban and residential uses



FPP Income Tax Credits

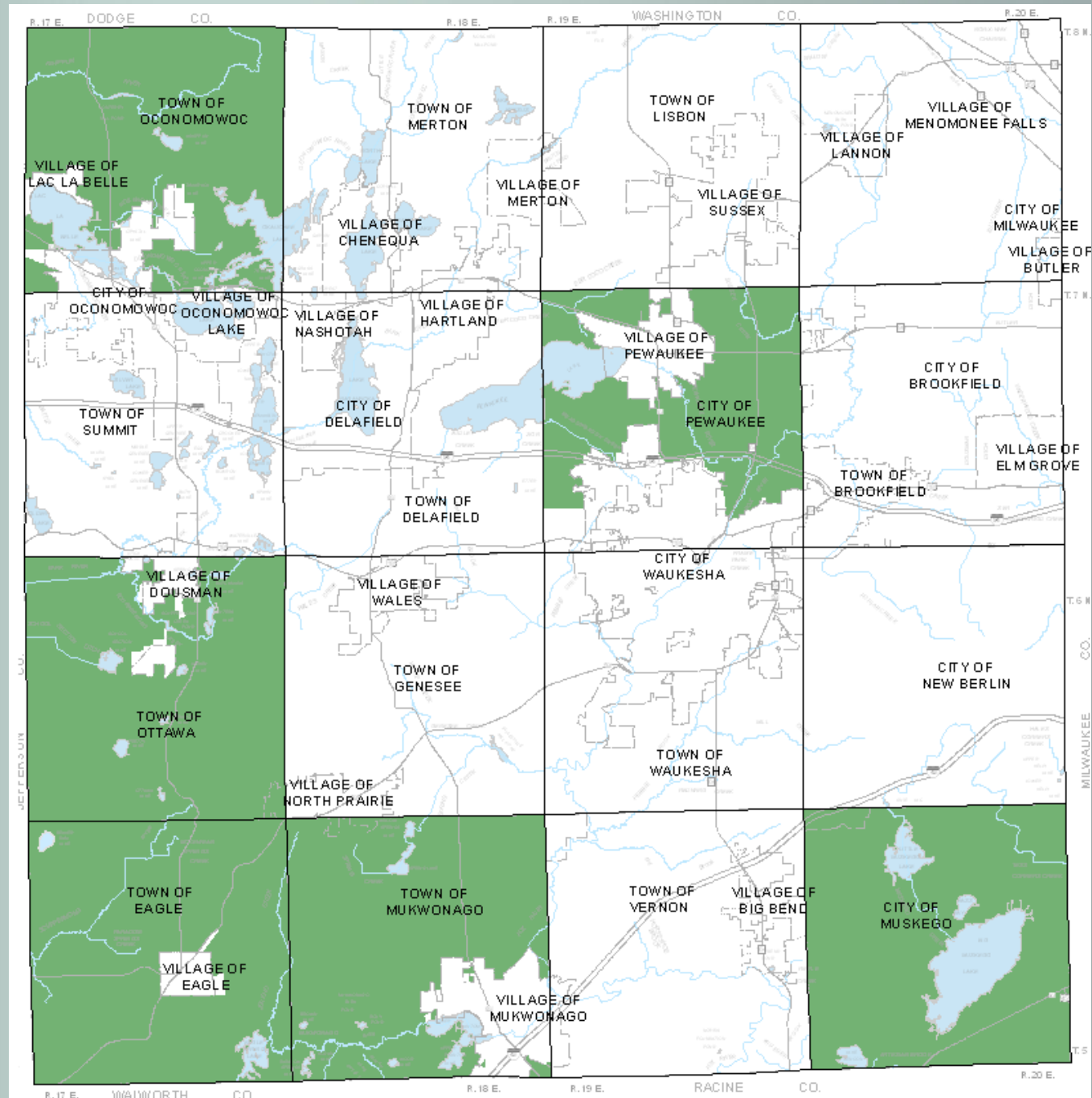
(before 2011)

- Based on sliding scale of income/property taxes
- To be eligible, landowner must:
 - Be located in an Exclusive Agricultural zoning district, or execute a FP Agreement (15-25 yrs.)
 - Comply with land conservation requirements
 - Generally, no FP agreements in urban counties
 - Except from 1989-1991
- Average tax credit in 1980's = \$1,500, but by 2000's it dwindled to \$540 (\$3.30/ac statewide)
 - 27% participation rate (97 people in Wauk. Co.)



Certified Exclusive Agricultural Zoning

Waukesha County



Key Factor in Farmland Pres.

- Development boom in Waukesha Co. during the 1990's and 2000's
- 1995 Use Value Assessment law
 - Supposed to be phased in over 10 years
 - However, fully implemented by 2000



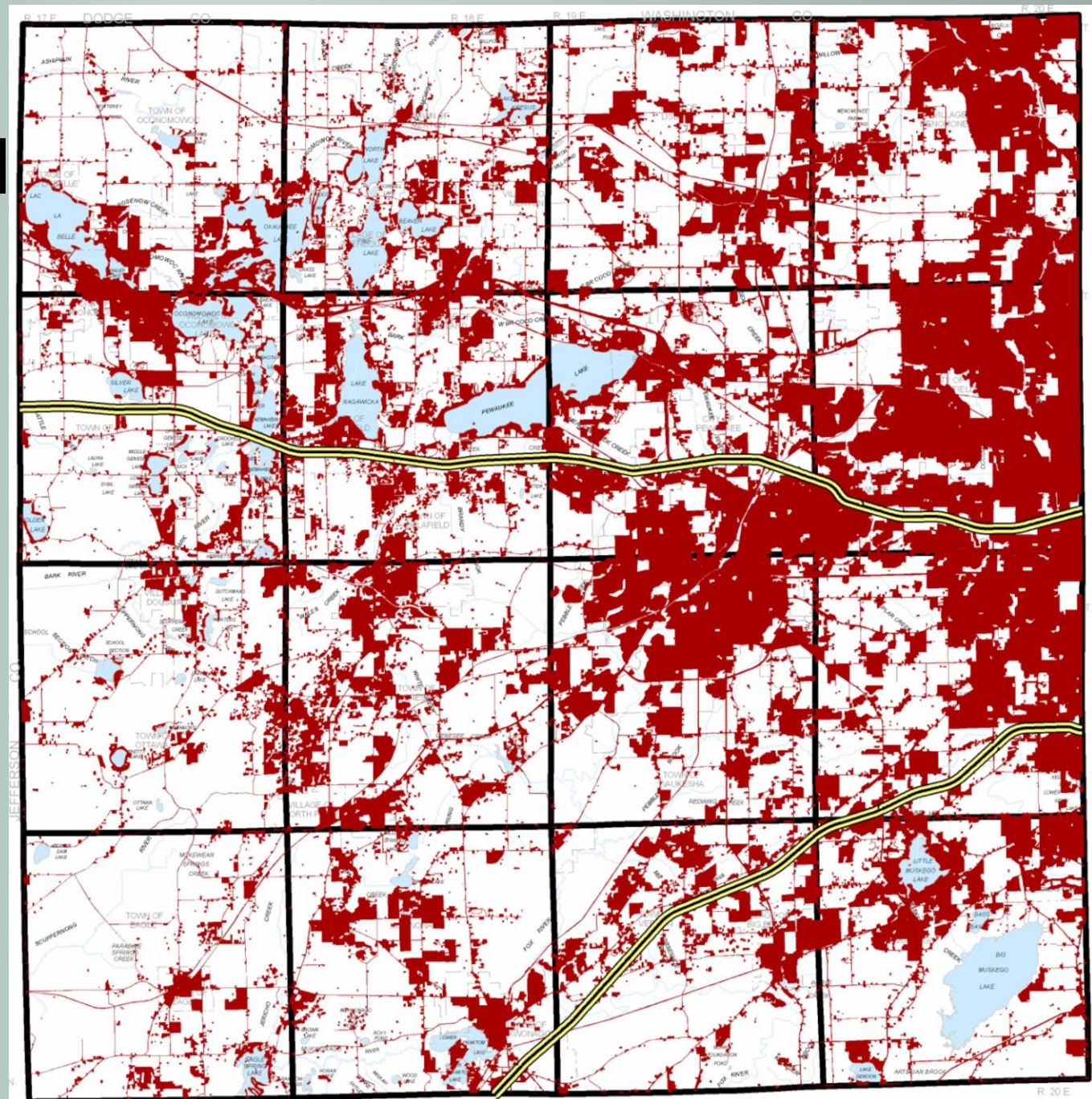
Urban & Residential Lands

Waukesha County
1995

Legend



Urban and
residential uses



Farmland Preservation Planning Historical Review (cont.)

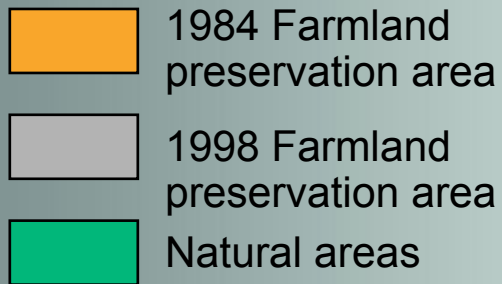
- 1997 Waukesha County Development Plan Completed
 - Concept of “critical mass” and community support for farmland preservation
- 1998 Farmland Preservation Plan updated to be consistent with development plan
 - FP plan NOT certified by DATCP
 - Objections over the 5 square mile farmland preservation standard used



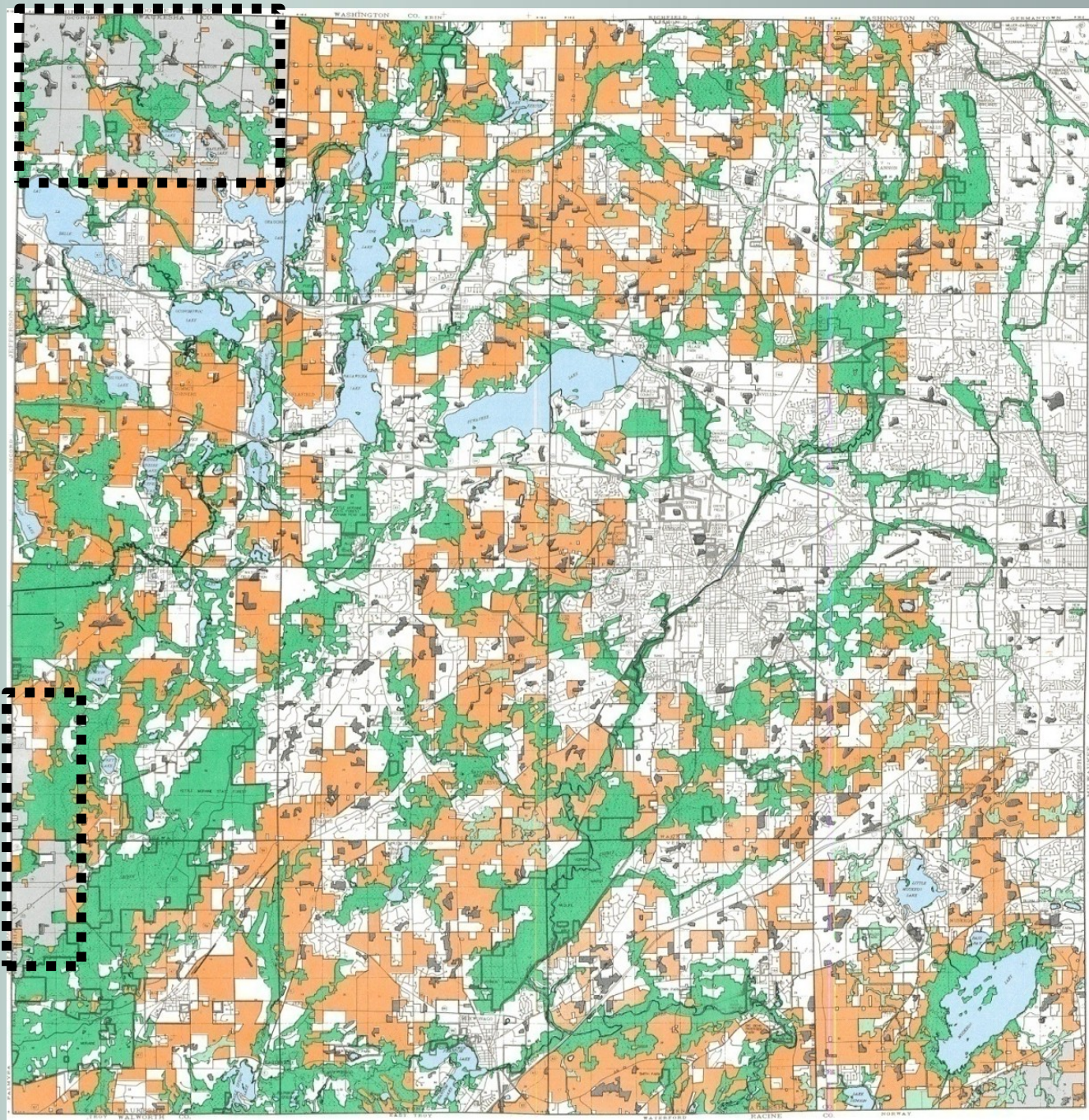
1984 vs. 1998 Farmland Preservation Areas

Waukesha County

Legend



Preservation went from
170 sq. mi. (30%) to
17 square miles (3%)



1999 Comprehensive Planning Law

- All communities need a plan by 2010
- Zoning must be consistent with plan
- Counties must recognize plans by cities and villages
 - Towns were treated the same way



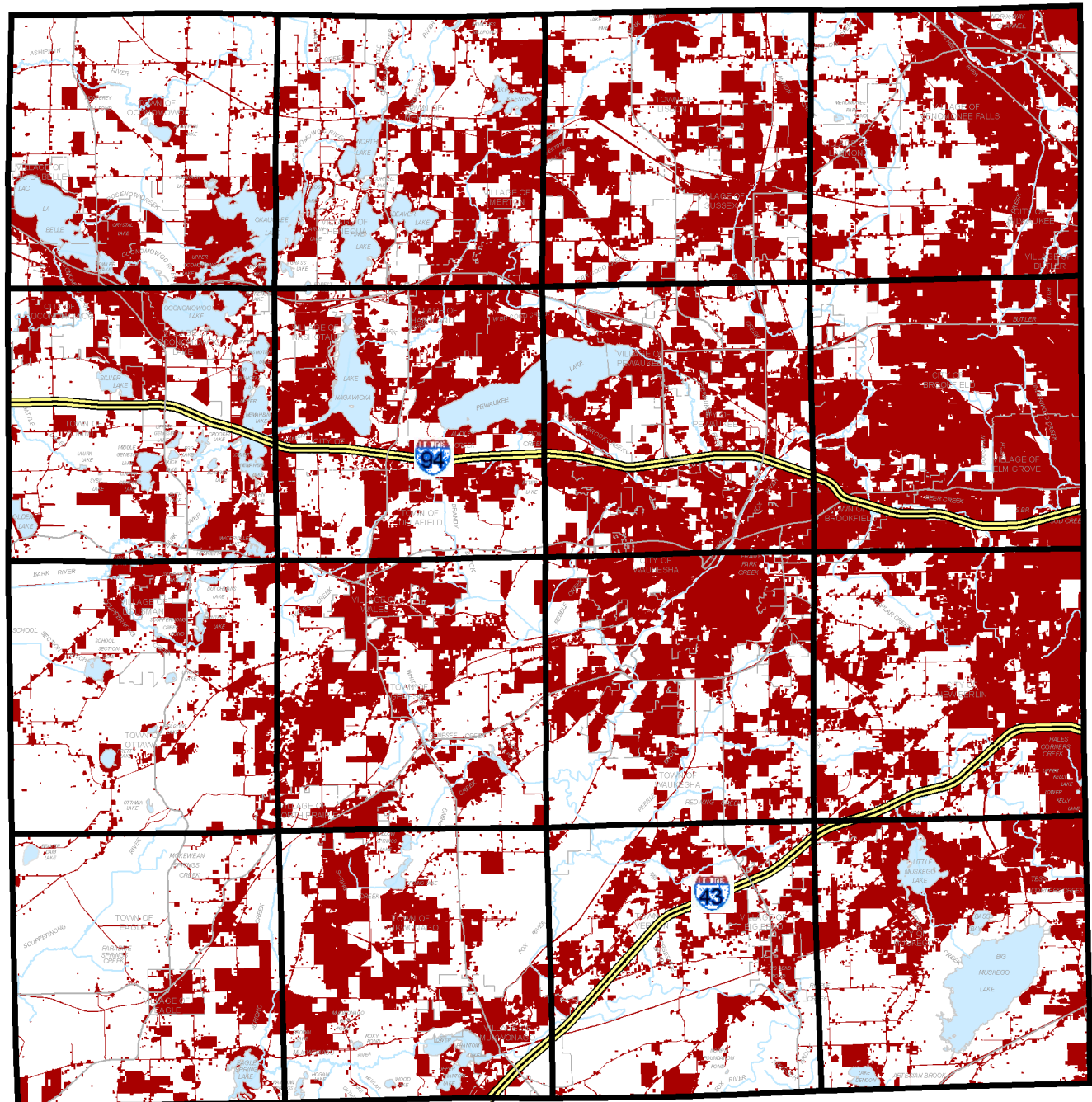
Urban & Residential Lands

Waukesha County
2005

Legend

 Urban and residential uses

Converted 3-5 square miles per year




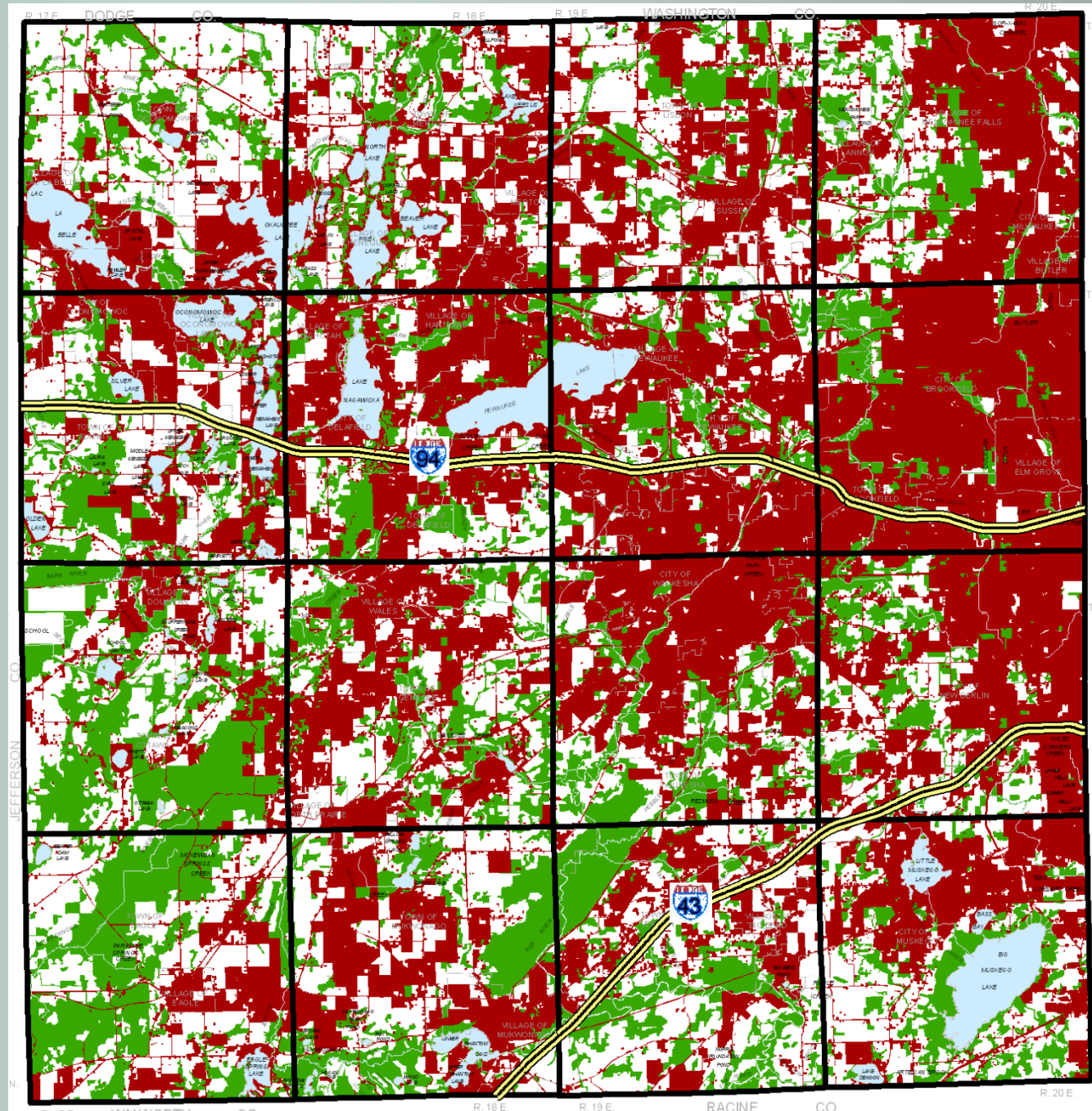
Urban & Residential Lands

Waukesha County
2005

Legend

 Urban and residential uses

 Natural areas

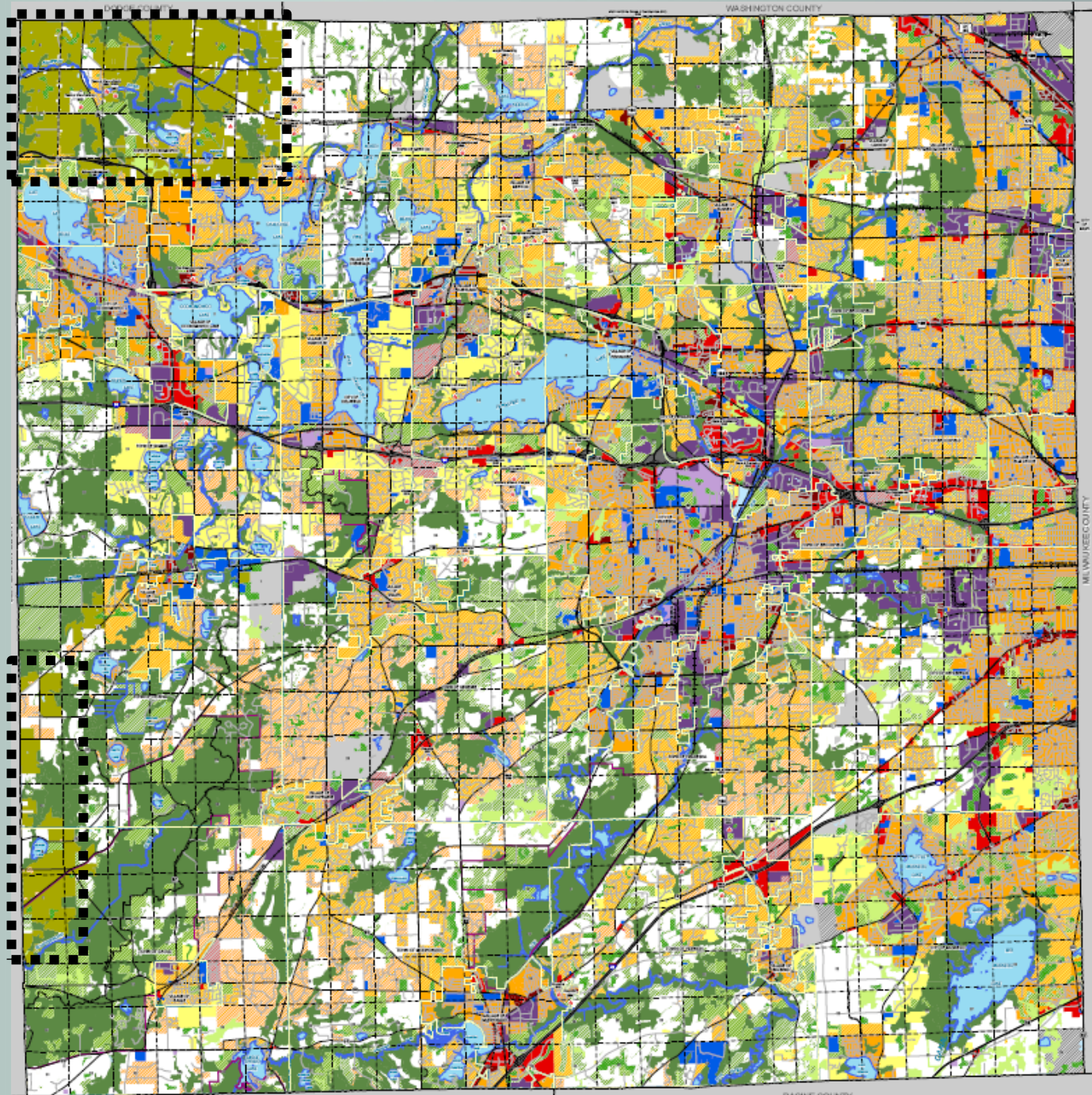


Waukesha County Land Use Plan 2035 (adopted 2009)

Legend

 Agricultural
Preservation
Areas

16.2 square miles
of ag land
designated for
preservation
(3% of county)



2009 FP State Law Changes

- Working Lands Initiative (WLI) -

- Farmland preservation program updated:
 - Revised planning and zoning requirements
 - Revised tax credits
 - New land conversion fees (trust fund)
- New farmland preservation tools:
 - Agricultural enterprise areas (AEA)
 - Purchase of agricultural conservation easements (PACE) grants

FP Plan Cert Expiration (A

FP Plan Certificate Expiration Dates by County:

County	Expiration Date
Adams	12/31/2011
Ashtabula	12/31/2013
Barron	12/31/2011
Bayfield	12/31/2013
Berkshires	12/31/2013
Burnett	12/31/2012
Calumet	12/31/2010
Chippewa	12/31/2011
Columbia	12/31/2011
Crawford	12/31/2013
Dane	12/31/2010
Dodge	12/31/2011
Douglas	12/31/2013
Door	12/31/2011
Forest	12/31/2013
Fond du Lac	12/31/2011
Franklin	12/31/2011
Grant	12/31/2012
Green	12/31/2011
Green Lake	12/31/2012
Harrison	12/31/2013
Iron	12/31/2013
Jackson	12/31/2012
Jefferson	12/31/2011
Jewaunee	12/31/2011
Kewaunee	12/31/2011
Kenosha	12/31/2010
La Crosse	12/31/2010
Lafayette	12/31/2013
Lane	12/31/2013
Langlade	12/31/2012
Lincoln	12/31/2012
Manitowish	12/31/2011
Manitowoc	12/31/2011
Marathon	12/31/2011
Marquette	12/31/2012
Menominee	12/31/2013
Monroe	12/31/2011
Monroe	12/31/2011
Neenah	12/31/2013
Outagamie	12/31/2010
Oconto	12/31/2011
Oshkosh	12/31/2010
Price	12/31/2013
Racine	12/31/2010
Richland	12/31/2013
Sauk	12/31/2011
Sawyer	12/31/2012
Shawano	12/31/2011
Sheboygan	12/31/2011
St. Croix	12/31/2010
Stevens	12/31/2013
Tioga	12/31/2013
Trempealeau	12/31/2012
Vernon	12/31/2011
Vilas	12/31/2012
Waushara	12/31/2011
Washington	12/31/2010
Winnebago	12/31/2010
Wisconsin	12/31/2010
Witonsa	12/31/2013
Wood	12/31/2012
Yoshimichi	12/31/2013



New WLI Tax Credits

- Tax Credit = per acre payments:
 - \$5.00/acre with farmland preservation agreement
 - \$7.50/acre if located in farmland preservation zoning district
 - \$10.00/acre if agreement and zoning
- New FPP agreements (15 yrs.) are only eligible in Ag Enterprise Areas

Agricultural Enterprise Areas

- Contiguous land area, devoted to agricultural use
 - No minimum size, but DATCP must prioritize >1000 acres
- Locally targeted for agricultural preservation and for agricultural development
- Voluntary participation
- Participants eligible for tax credits



Ag Enterprise Areas Statewide

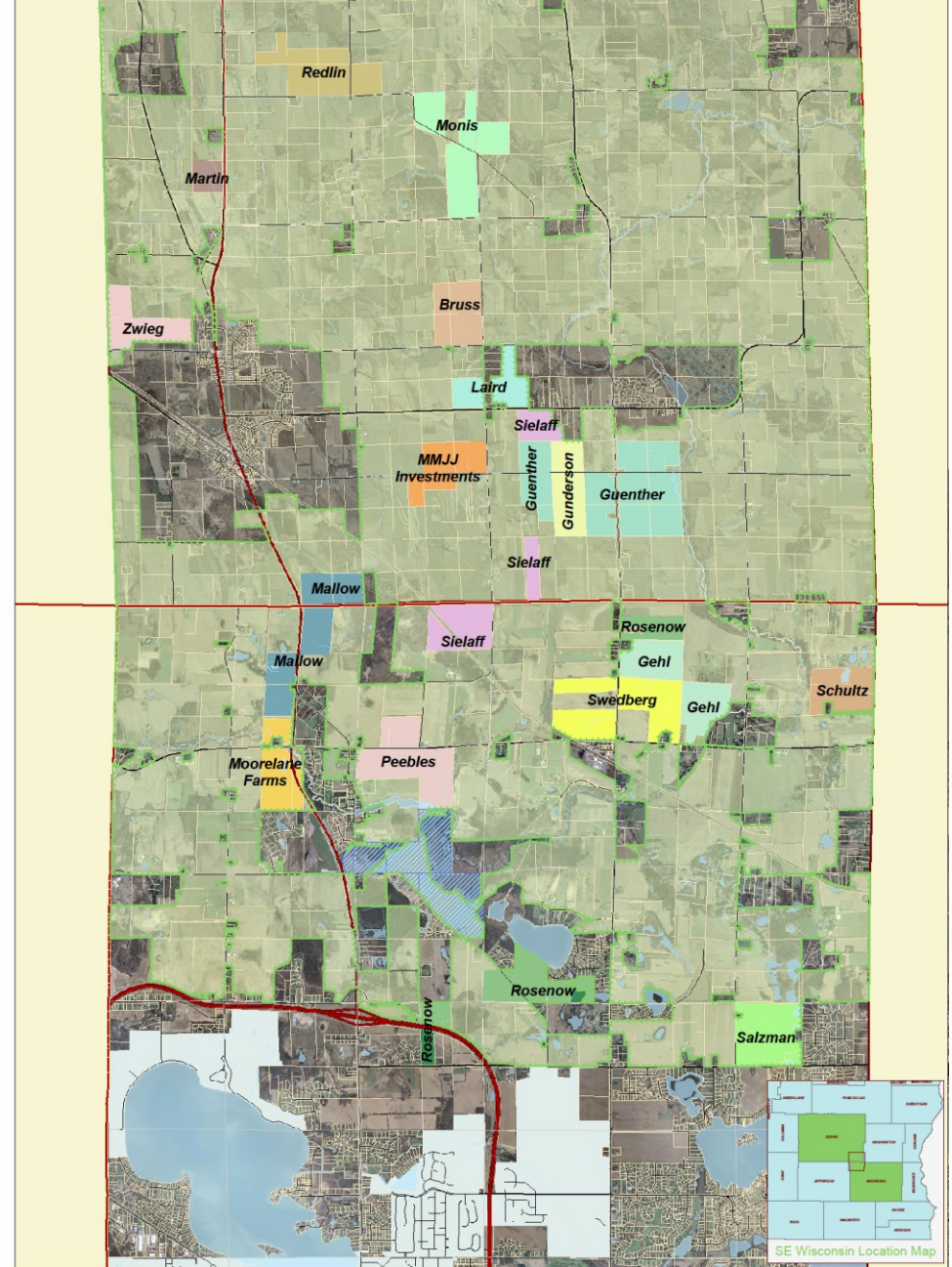
- Pilot program through January 1, 2012
 - 15 AEAs or 200,000 acres
- After January 1, 2012
 - Maximum of 1 million acres statewide



Agricultural Enterprise Area

Towns of
Oconomowoc
and Ashippun

(Approved by
DATCP in 2010)



Ashippun/Oconomowoc Agricultural Enterprise Area

Prepared by the Waukesha Co. Dept. of Parks and Land Use 04/28/2010
w/ Assistance from the Dodge Co. Land Resources & Parks Dept.

— State Hwy — County Hwy — Local Road — Incorporated Areas — Section Lines — Water
 — Agricultural Enterprise Area — Farmed County-Owned Parcels — Parcel Boundaries

Dodge Co. Orthophoto - Spring 2006
 Waukesha Co. Orthophoto - Spring 2007

Note: Petitioners' Property is grouped by a color and labeled with the family name or farm name.



Grants - Purchase of Agricultural Conservation Easements (PACE)

- Voluntary (willing buyer/seller)

(Total value – Ag value = Easement value)

- Protects agriculture/no future development
- Permanent (recorded deed restriction)



PACE and 2009 – 2011 State Budget

- Working Lands Trust Fund created
 - Land conversion fees go here
- \$12 million first 2 years
 - 50% matching grants
 - Revenue from land conversion fees
- Repealed in 2011



Land Conversion Fees

- For rezoning land from farmland preservation
- Effective January 1, 2010
 - Fee = 3 x DOR grade 1 cropland value
 - Averages about \$900/acre fee (Waukesha County)
- Repealed in 2011



Waukesha County Farmland Preservation Plan Update: 2011

2011 Waukesha County
Comprehensive Plan Amendment



FP Plan Update Process

- June 2010 – First of 4 Advisory Committee mtgs.
- December 2010
 - Public Informational Meeting
 - Staff meetings with municipal planners (also in January)
- January 2011
 - Advisory Committee approves draft plan
- February 2011
 - Plan certified by County Corporation Counsel and submitted to DATCP for certification
 - Joint public hearing (Plan Commission/LUPE)



2011 WCCDP Amendment

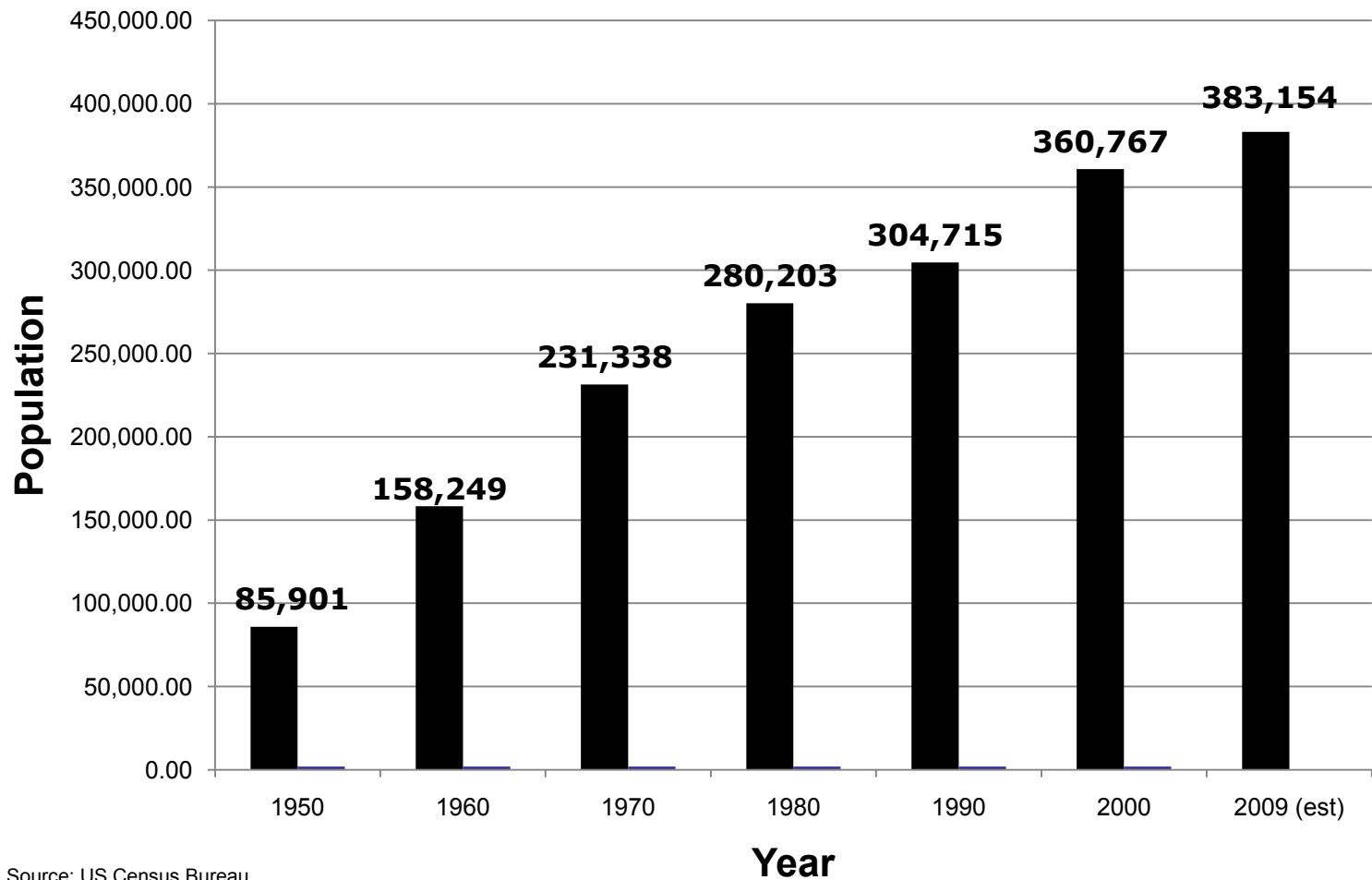
- Add Preface
- Amend Table of Contents
- Add Appendix “D”- Farmland Preservation Plan
- Amend GIS layer- 2035 Land Use Plan Map

Inventory, Trends & Agricultural Statistics in Waukesha County



Population Growth- 1950-2009

Waukesha County

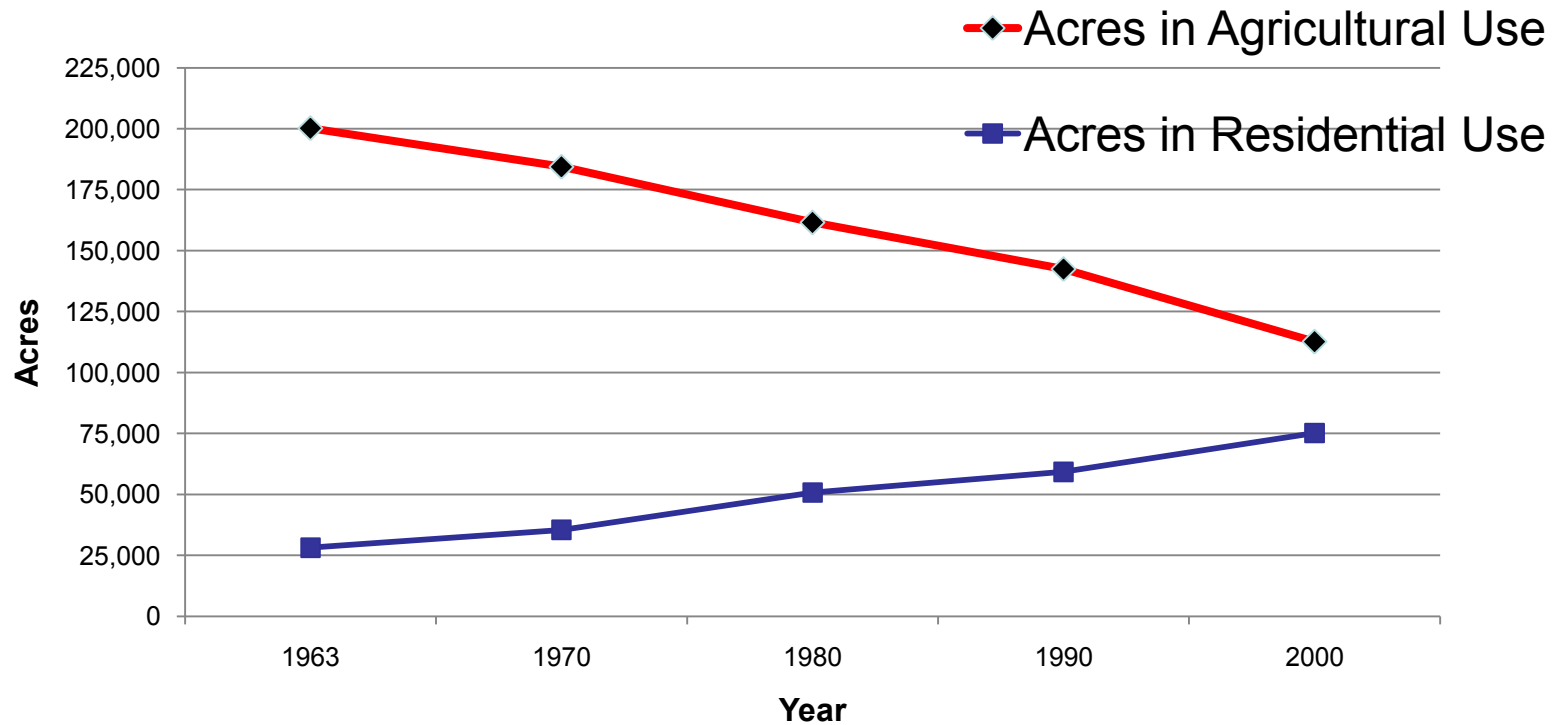


Key Employment Trends 1990-2000

- Finance/insurance/real estate ... + 41%
- Service industry + 39%
- Construction + 31%
- Wholesale & retail + 28%
- Manufacturing + 21%
- Government related + 18%
- **Agriculture** - **15%**

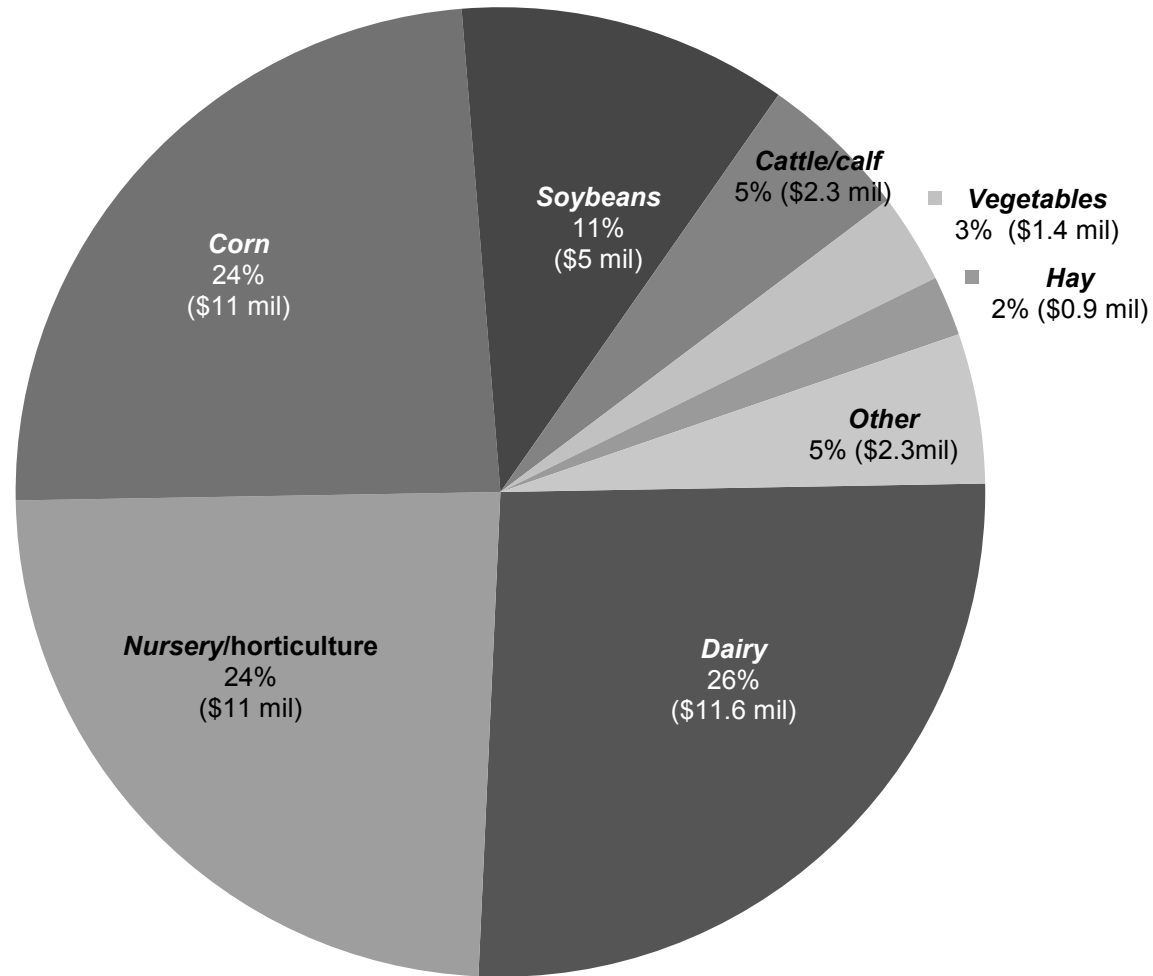
Acres in Agricultural & Residential Use

Waukesha County 1963 - 2000

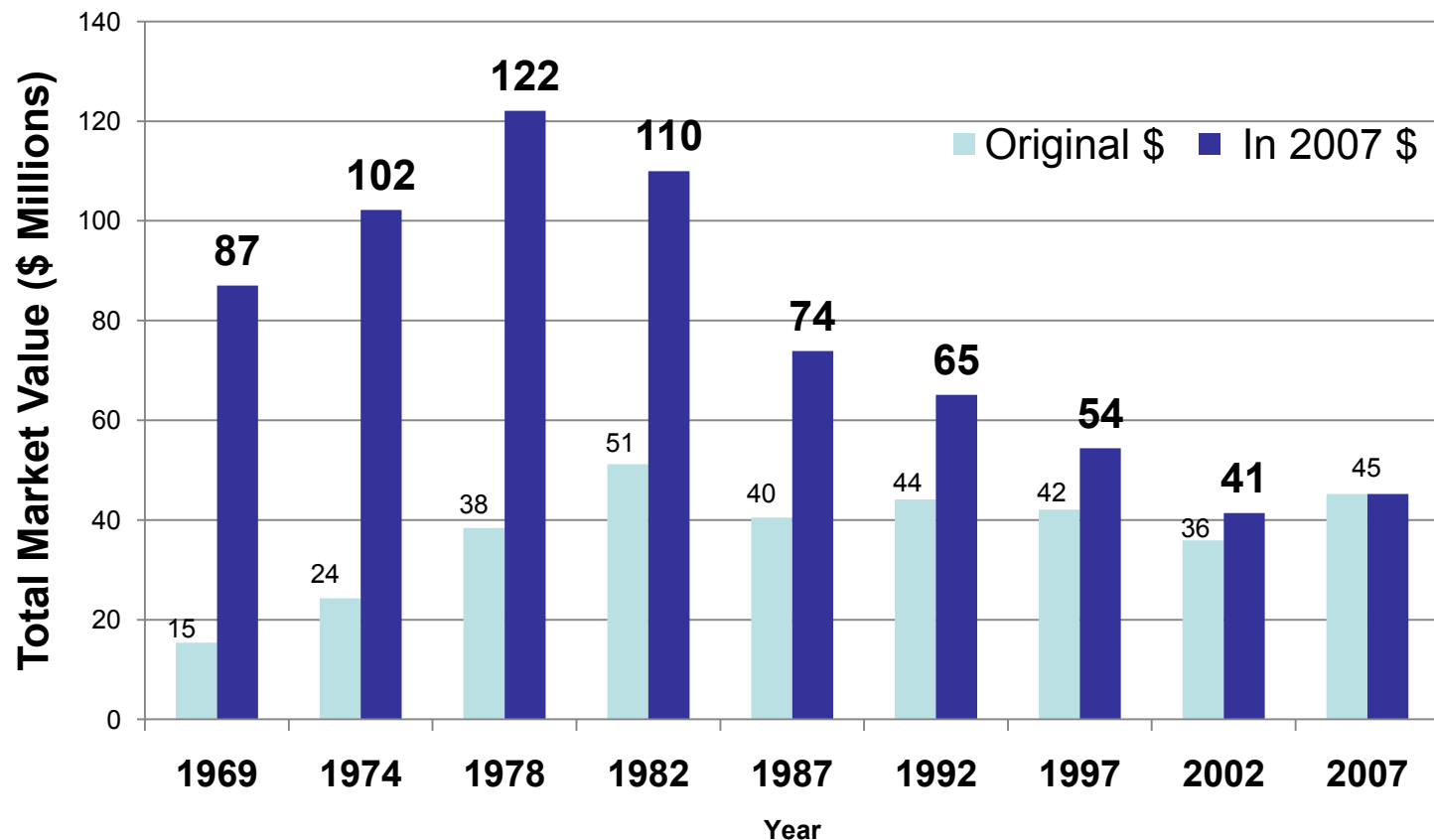


Source: SEWRPC

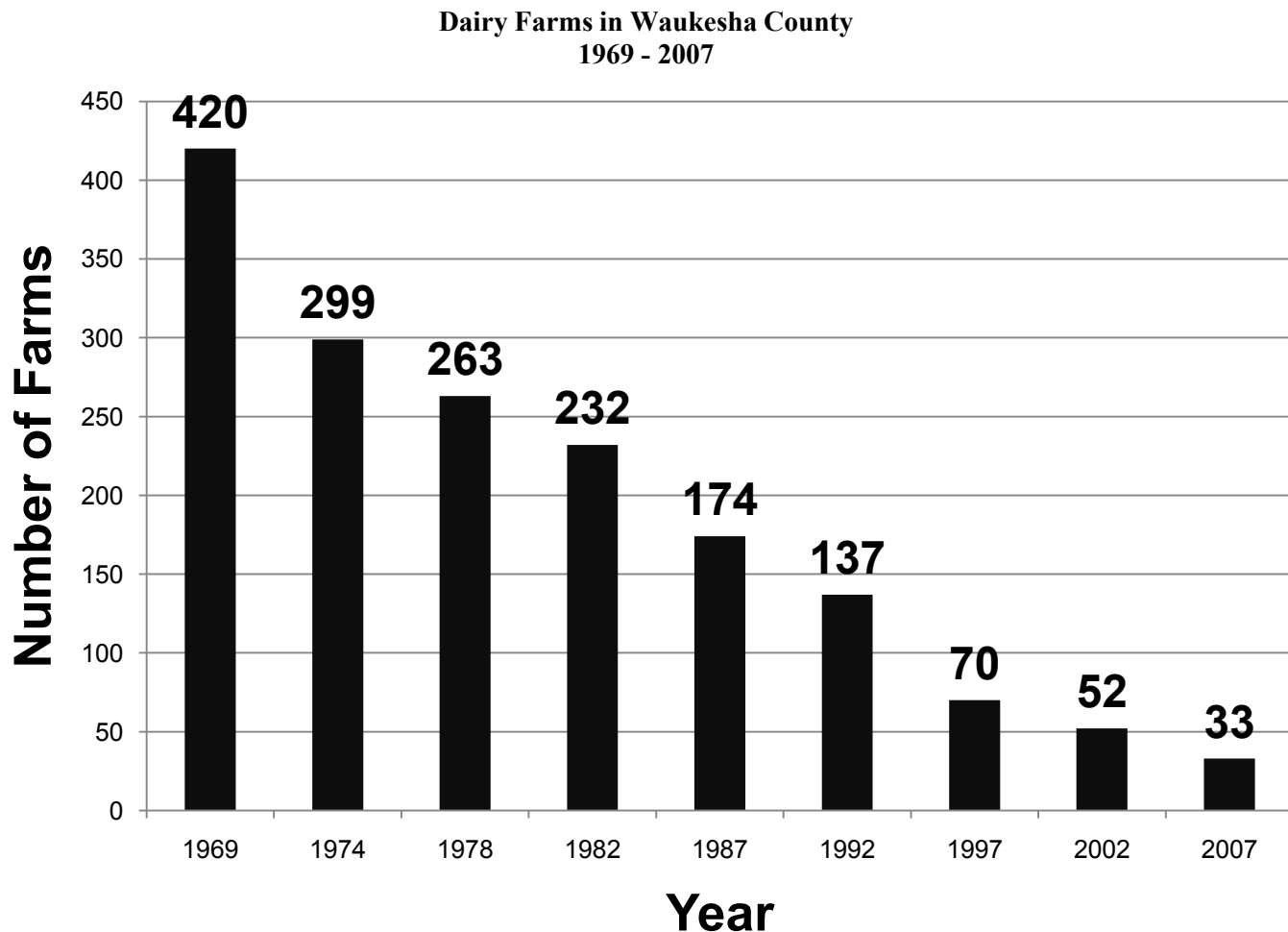
Percentage/Market Value of Ag. Products Sold- Waukesha County: 2007



Market Value of Ag. Products Sold 1969-2007

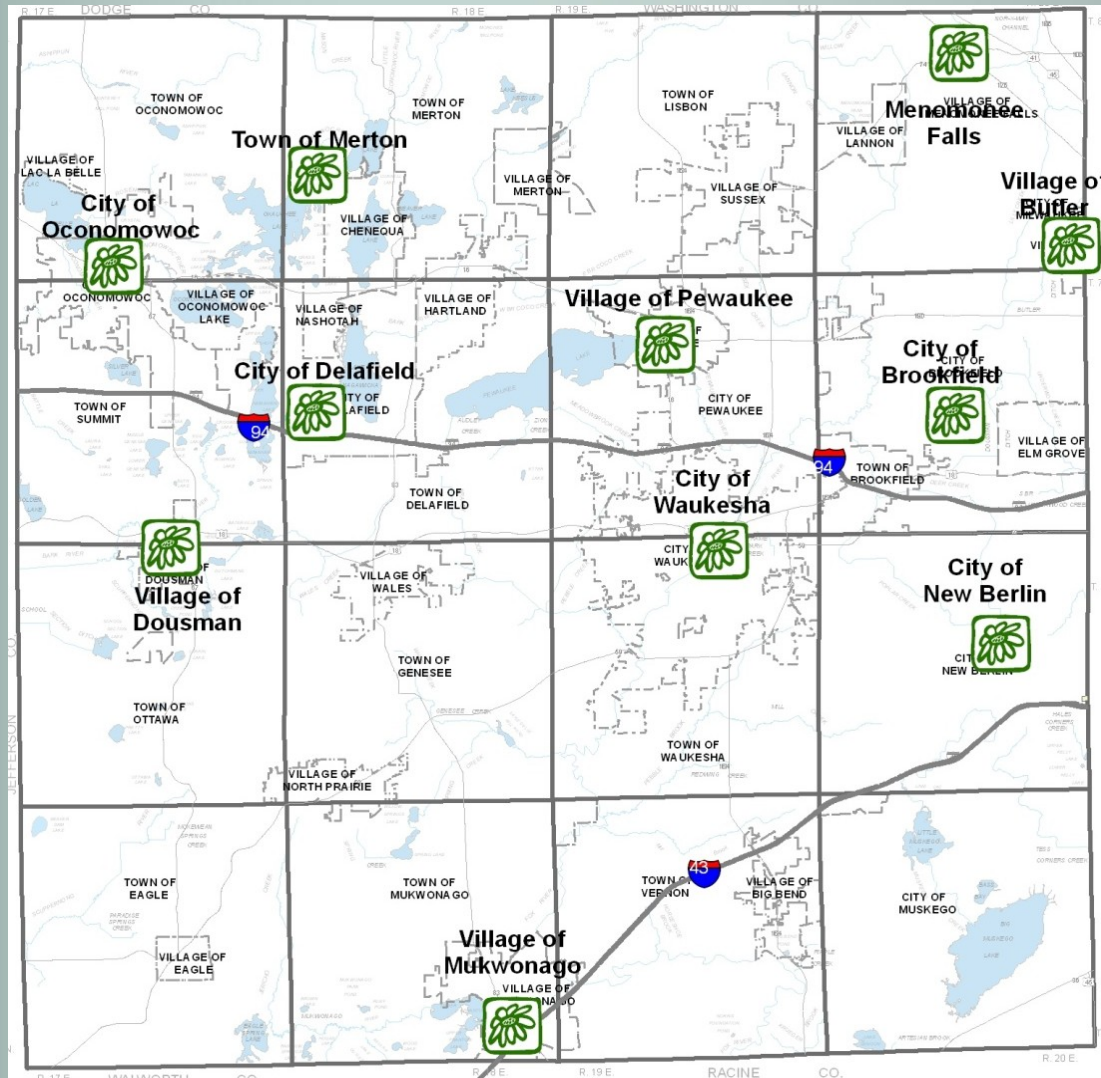


Dairy Farms in Waukesha County 1969-2007



Farmers Markets

Waukesha County- 2010



Development of Farmland Preservation Planning Criteria



Farmland Preservation Criteria

- Foundation for farmland preservation zoning
- Required for designation of Ag Enterprise Areas
- Required to obtain PACE grant
- Preservation areas - Ag. use for 15 years
- Zoning ordinances must be consistent with approved Farmland Preservation Plan



Reasonable, Fact-based Criteria

(Farmland preservation)

- Surrounding land use (planned)
- Proximity to infrastructure (ag & urban)
- Soil productivity
- Topography
- Size of parcels/ag area



FP Criteria that is Not Appropriate

- Based primarily on landowner interest or disinterest
- Planning criteria not consistent with FP maps
- Results in substantial spot planning or zoning (apply criteria consistently)
- Inconsistent with community adopted comprehensive plans




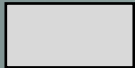


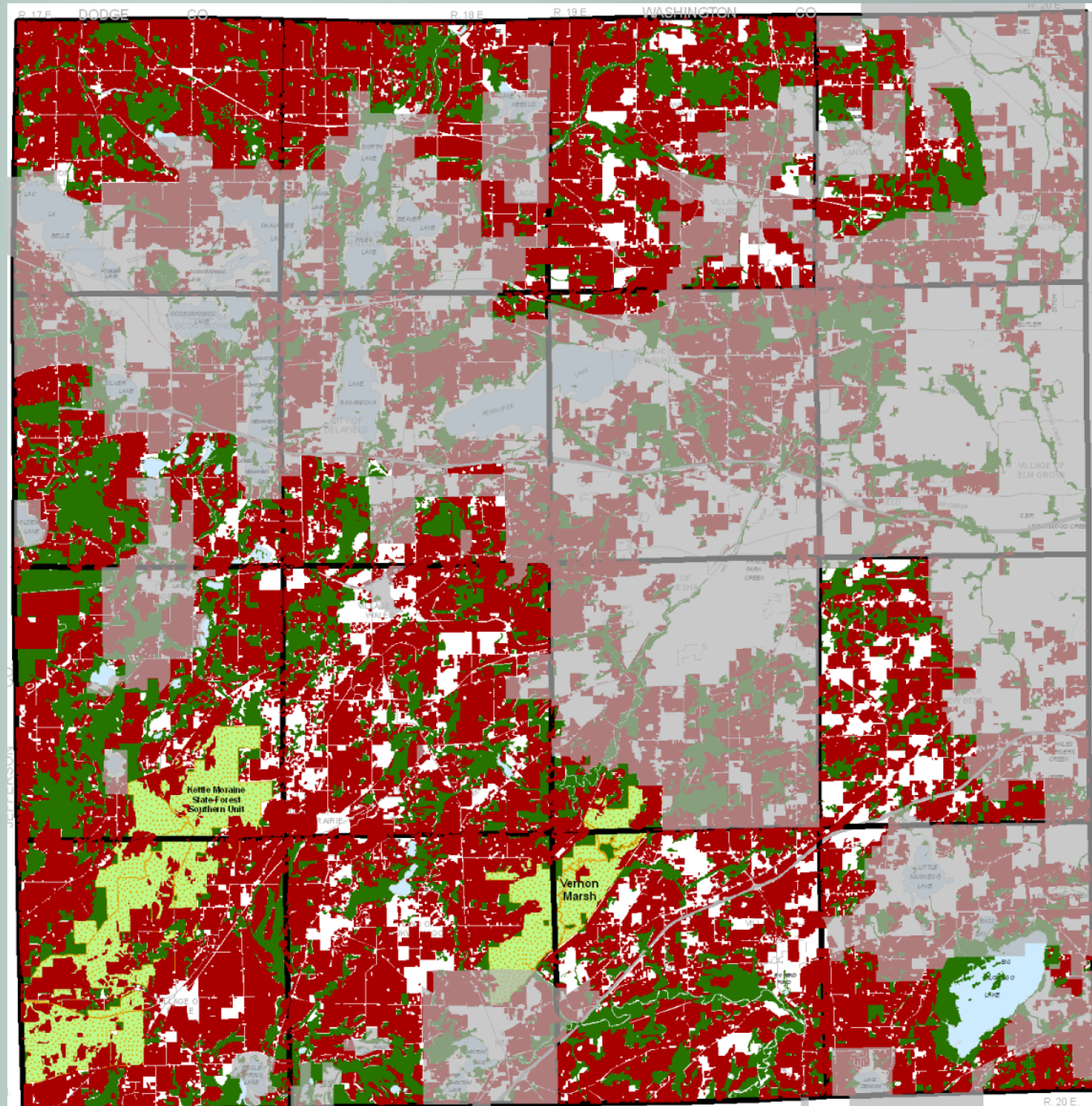
1980 Ag Land Use

Waukesha County

173,918 acres

Legend


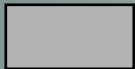
-  Agricultural land
-  Natural areas
-  State land
-  Planned sewer service areas

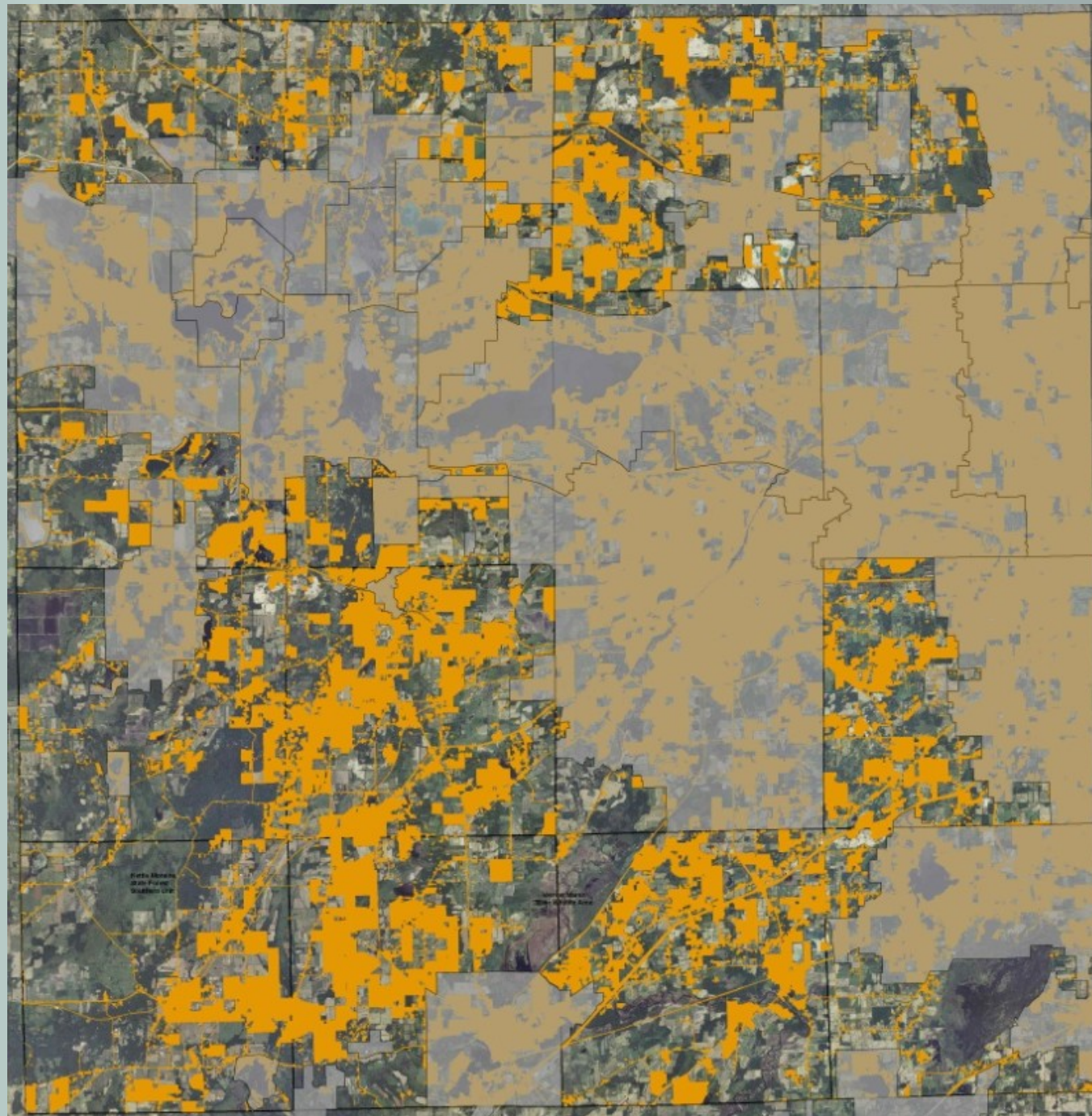


Urban & Residential Land

Waukesha County
2005

Legend

-  Urban & residential land
-  Sewer service area (planned)





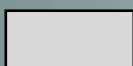


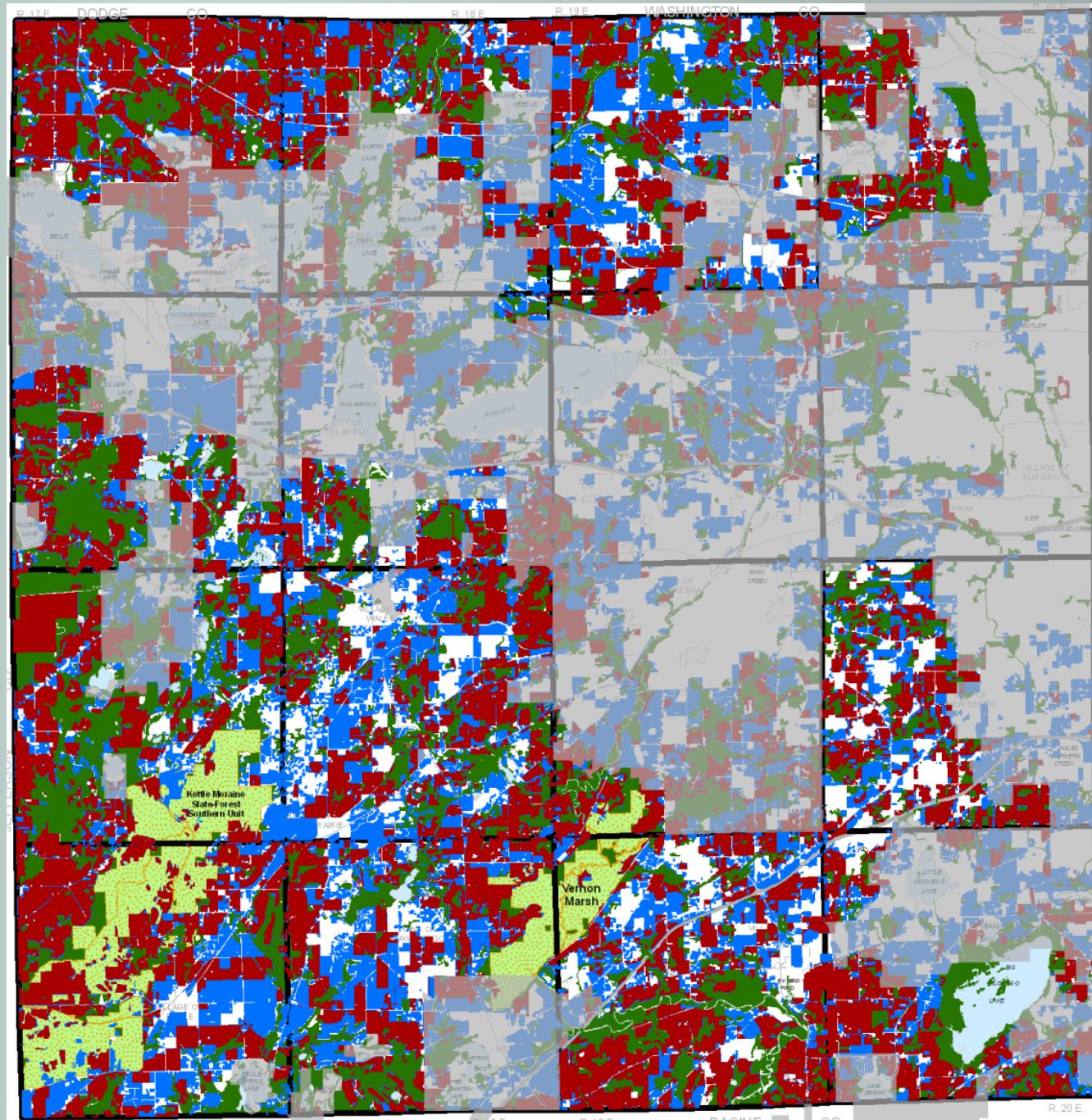
Ag Land Lost 1980-2010

Waukesha County

81,672 acres lost

Legend

-  2010 Ag land
-  Ag lands lost since 1980
-  State land
-  Natural areas
-  Planned sewer service areas








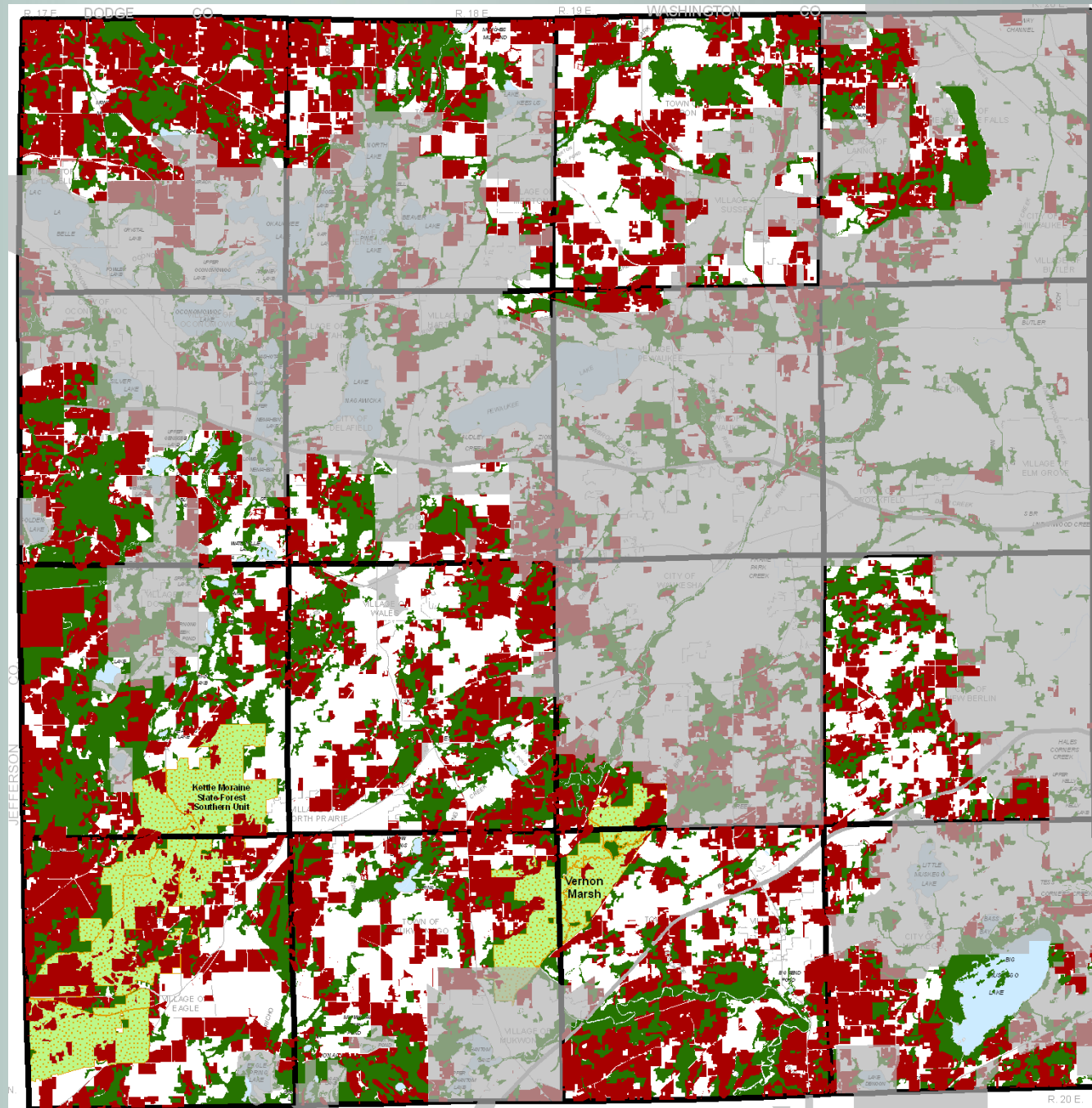
2010 Ag Land Use

Waukesha County

92,246 acres

Legend

-  Agricultural land
-  Natural areas
-  State land
-  Developed land
-  Planned sewer service areas



Plan Objectives

- 1) Identify sustainable blocks of productive ag. land to target for preservation.
- 2) Minimize land use conflicts in designated preservation areas.
- 3) Encourage ag. investment & promote farmland incentive programs for preservation areas.

FP Planning Criteria

- **Farmland Preservation Area**

Total Farmland Preservation Area:

1. Planned land use is ag./open or envir. corridor
2. Five square miles of contiguous lands
3. 75% of parcels are 35 acres +
4. 75% is agricultural or open/unused

Every Parcel within Farmland Preservation Area:

1. Outside of planned sewer service area
2. 50% of ag. soils are Class I, II or *Statewide Importance*

FP Planning Criteria (cont.)

- **Unrefined Areas for Future AEA Designation**

Total AEA:

1. Planned land use is ag./open or envir. corridor
2. 1,000 acres of contiguous lands
3. 60% of parcels are 35 acres +
4. 60% is agricultural or open/unused



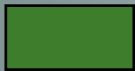


Every Parcel within the Future AEA:

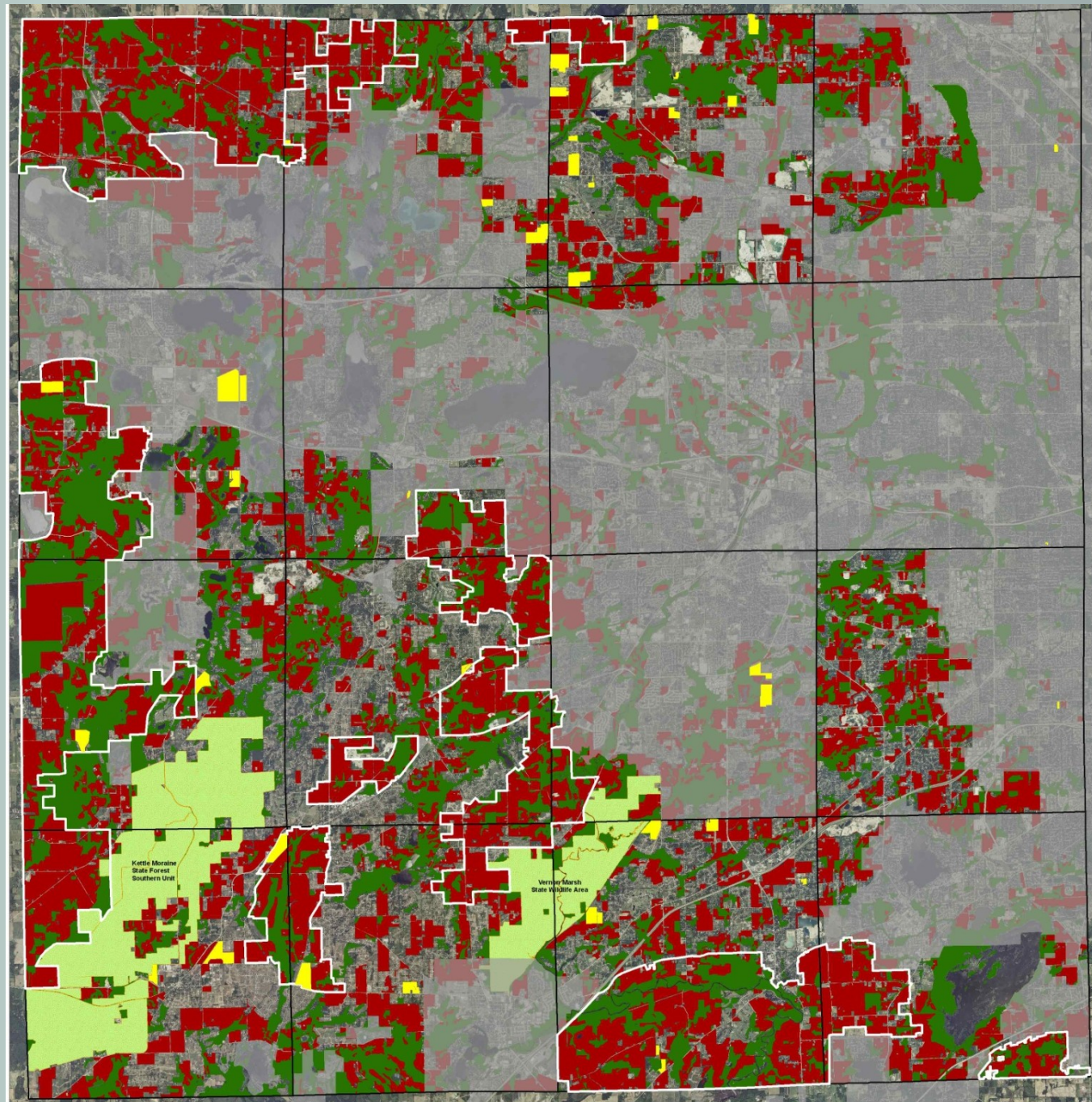
1. Outside of planned sewer service area
2. 50% of ag. soils are Class I, II or Statewide Importance

Farmland Preservation Target Lands (draft)

Waukesha County

Legend



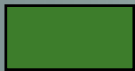


-  Agricultural land
-  Sewer service area (planned)
-  Natural area
-  Target farmland
-  Preliminary plats submitted

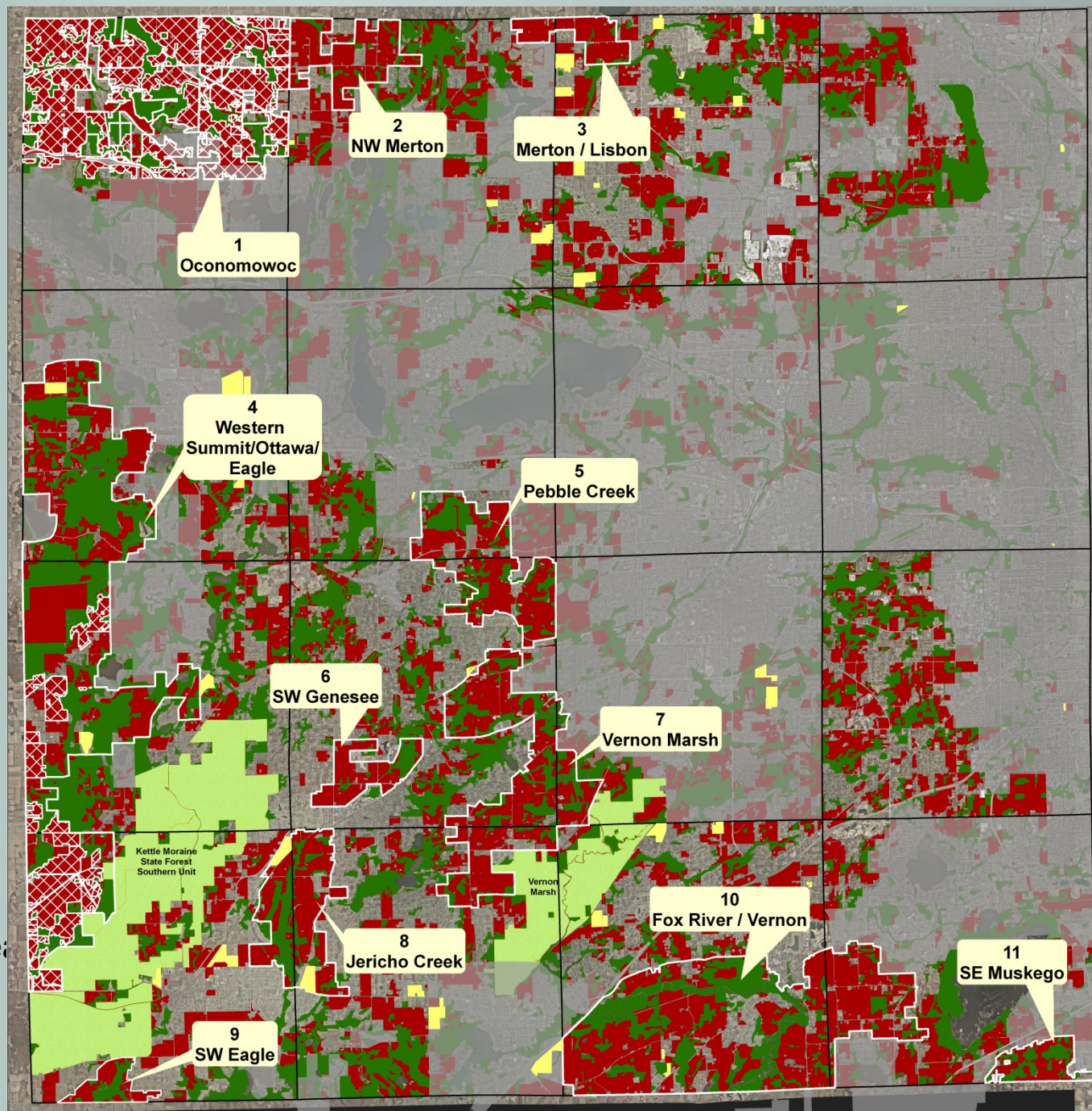


Farmland Preservation Map (draft)

Waukesha County

Legend

-  Agricultural land
-  Sewer service area (planned)
-  Natural area
-  Farmland preservation area
-  Unrefined future AEA



Summary of Farmland Preservation Areas

- Total in Farmland Preservation Area (10,264 acres or 11% of county farmland)
 - Town of Oconomowoc (7,383 ac./75% of FPA)
 - Towns of Ottawa/Eagle (2,881ac./28% of FPA)
- These areas are already incorporated in land use plans and zoning ordinances
- Future additions possible through the annual plan revision process

Summary of Unrefined Future AEA's

- Total of 24,738 acres or 27% of farmland
 2. Fox River (6,720 ac.) – Vernon/Muskego
 3. Summit/Ottawa/Eagle (5,757 ac.) – western border
 4. Vernon Marsh (3,659 ac.) – Genesee/Waukesha/Mukwonago
 5. Pebble Creek (2,334 ac.) – Genesee/Delafield
 6. Jericho Creek (1,875 ac.) – Eagle/Mukwonago
 7. Town of Merton - NW (1,609 ac.)
 8. Merton/Lisbon (919 ac.)
 9. Genesee (907 ac.) – near North Prairie
 10. Muskego SE (521 ac.)
 11. SW Eagle (437 ac.)
- Future additions possible through the annual plan revision process

Summary of Farmland Pres. Plan

Farmland Category/Description	Farmland Acres in Category	Percent of Total Farmland Acres
Farmland in Sewer Service Areas	21,420 ac.	23%
Farmland not in Sewer Service Area but in Blocks <1000 acres	35,774 ac.	39%
Farmland in Unrefined Future AEAs	24,738 ac.	27%
Farmland in Preservation Category	10,264 ac.	11%
Total Farmland in Waukesha County (2010)	92,196 acres	100.00%

Key Plan Recommendations

- Local plans designate farmland preservation for lands that meet primary standard.
- Update local zoning codes to achieve DATCP certification.
- Strictly limit non-farm development in preservation areas.
- County/municipalities support AEA/PACE applications.
- Remove barriers to higher densities in urban service areas.

Final Steps in Farmland Preservation Planning

- DATCP certified plan – August 8, 2011
- County Park & Planning Commission approval – September 15, 2011
- County Land Use, Parks & Environment Committee approval – October 17, 2011
- County Board approval – (not done yet)



Questions/Comments?

Waukesha County Contacts:

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or

Perry Lindquist, Land Resources Manager

262-896-8300